



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/567,154	02/03/2006	Emil Giza	Q93024	4574
23373 7590 01/02/2009 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037				
EXAMINER				
FISCHER, JUSTIN R				
ART UNIT		PAPER NUMBER		
1791				
MAIL DATE		DELIVERY MODE		
01/02/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Continuation of 11:

Claims 1 and 5-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Giza and further in view of RE '341, and/or RE '659, and/or Suzuki.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Giza, RE '341, and/or RE '659, and/or Suzuki, and Miller.

Applicant argues that the combination of claim 1 illustrates unexpected results in that when the viscosity is limited to 50 to 3000 mPa-s, it is possible to efficiently apply adhesive material on the twisted cord and also efficiently remove an excess adhesive material. As detailed in the previous communication, the adhesive composition of Giza appears to be identical to that of the claimed invention (components A-d) and as such, one of ordinary skill in the art at the time of the invention would have expected the adhesive of Giza to demonstrate the claimed viscosity. Thus, it appears that any purported benefits would be similarly present in the adhesive composition of Giza and thus constitute an expected result or benefit (inherent to the adhesive composition).

Applicant further contends that none of the secondary considerations suggest the combination of spray coating to apply the adhesive and blowing to remove the excess adhesive. It is agreed that the secondary considerations fail to expressly disclose the claimed combination. However, as detailed in the pending rejection, the method of Giza involves the use of spray coating and further desires the removal of excess adhesive- in view of the general disclosure of Giza, one of ordinary skill in the art at the time of the

invention would have found it obvious to use any of the known removal techniques, including blowing, as shown for example by RE '341, RE 659, and Suzuki. A fair reading of these references does not suggest the exclusive use of blowing with dip application techniques. It is particularly noted that applicant has not provided a conclusive showing of unexpected results to establish a criticality for the combination of spray coating and blowing. Lastly, it is emphasized that Giza suggests a spray coating method in which the adhesive appears to be substantially the same as that detailed by the claimed invention and such a combination (application technique and adhesive properties) appears to mimic the critical feature(s) of the claimed invention.

/Justin R Fischer/

Primary Examiner, Art Unit 1791